

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2013**

No. 133

Introduced by Council Members Palma, Cabrera, Chin, James, Koppell, Brewer, Eugene, Vacca, Van Bramer, Levin, Rodriguez, Gentile and Gennaro.

A LOCAL LAW

To amend the New York city charter and the administrative code of the city of New York, in relation to assessing food security.

Be it enacted by the Council as follows:

Section 1. Section 20 of the New York city charter is amended by adding a new subdivision j to read as follows:

j. The director or the director's designee, in consultation with the commissioner of the department of health and mental hygiene, the commissioner of the department of social services/human resources administration, or their respective designees, and community based organizations and service providers with relevant expertise and such other individuals as the director shall designate, shall establish a set of indicators to measure food security. Such indicators shall include but need not be limited to an analysis of existing federal data on food security and the use and impact of governmental nutrition assistance programs. The director, or the director's designee, shall prepare and present a report on such indicators to be included in the annual city food system metrics report required pursuant to section 3-120 of the code.

§ 2. Subdivision a of section 3-120 of the administrative code of the city of New York, as added by local law 52 for the year 2011, is amended to read as follows:

§ 3-120 Annual city food system metrics report. a. No later than September first, two

thousand twelve, and no later than every September first thereafter, the office of long-term planning and sustainability shall prepare and submit to the mayor and the speaker of the city council a report regarding the production, processing, distribution and consumption of food in and for the city of New York during the previous fiscal year. Such report shall include:

1. the number, size in acres, county and type of production of, and annual dollar amount of city financial support received by, farms participating in the watershed agricultural program;

2. the total dollar amount of expenditures by the department of education on milk and other food products that are subject to the United States department of agriculture country of origin labeling requirements, disaggregated and sorted by the product and country of origin in which the essential components of such food products were grown, agriculturally produced and harvested, to the extent such information is reported to the department of education. For any such product where there are multiple countries of origin, the total dollar amount of expenditures, disaggregated by product, shall be separately listed, to the extent such information is reported to the department of education. If the country of origin of milk or fresh whole produce is the United States, for the report due no later than September first, two thousand thirteen, and in every report thereafter, and to the extent such information is reported to the department of education, such report shall include the total dollar amount of expenditures on such milk or fresh whole produce that is local or regional. For purposes of this paragraph, milk or fresh whole produce shall be considered "local" if grown, agriculturally produced and harvested within New York state, and shall be considered "regional" if such food products were grown, agriculturally produced and harvested within the states of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia or West Virginia;

3. the location, sorted by community board and size in square feet, of each community

garden located on city-owned property that is registered with and licensed by the department of parks and recreation, and whether each such garden engages in food production;

4. the number of food manufacturers receiving monetary benefits from the economic development corporation or industrial development agency and the annual dollar amount of such benefits per food manufacturer. For purposes of this paragraph, "food manufacturer" shall mean any natural person, partnership, corporation or other association that processes or fabricates food products from raw materials for commercial purposes, provided that it shall not include any establishment engaged solely in the warehousing, distribution or retail sale of products;

5. the daily number of truck and rail trips to or through Hunts Point Market for the purpose of delivering food to Hunts Point Market, to the extent such information is available. For purposes of this paragraph, "Hunts Point Market" shall mean the food distribution center located in Hunts Point in the borough of the Bronx, and shall include the meat, fish and produce markets operating at such location;

6. for the report due no later than September first, two thousand thirteen, and in every fifth report thereafter, the amount of grocery store space per capita, sorted by community board, and the number of grocery stores that opened during the past five calendar years, sorted by community board, to the extent such information is available. The office of long-term planning and sustainability shall request such information, as necessary, from the New York state department of agriculture and markets;

7. the number, community board, and number of employees, of grocery stores receiving financial benefits under the food retail expansion to support health program;

8. the number of establishments participating in the healthy bodega initiative administered by the department of health and mental hygiene, sorted by borough;

9. the number of job training programs administered by the department of small businesses services or the workforce investment board to aid individuals seeking work in food manufacturing, food supply, food service or related industries, sorted by borough;

10. the total number of meals served by city agencies or their contractors, including but not limited to meals served in public schools, hospitals, senior centers, correctional facilities, and homeless shelters, and not including food sold in vending machines or by a concessionaire, sorted by agency;

11. for each required city agency food standard developed pursuant to executive order number one hundred twenty-two, dated September nineteenth, two thousand eight, the total number of programs or other relevant entities that purchase, prepare or serve meals, not including food sold in vending machines or by a concessionaire, that are in full compliance with each such standard and the total number that are not in full compliance with each such standard, sorted by agency;

12. the number of and amount of annual revenue earned from vending machines located in facilities operated by the department of education;

13. the number of persons sixty-five years or older receiving benefits through the supplemental nutritional assistance program ("SNAP") administered by the United States department of agriculture;

14. the number and description of, and dollar amount spent by, the human resources administration on SNAP outreach programs;

15. the number and description of, and dollar amount spent on, nutrition education programs administered by the human resources administration and department of health and mental hygiene;

16. the number of salad bars in public schools and in hospitals operated by the health and hospitals corporation, respectively, sorted by borough;

17. the total amount expended by the department of citywide administrative services to purchase water other than tap water;

18. information concerning the green cart initiative administered by the department of health and mental hygiene, including the number of applications for permits, the number of permits issued, the number of persons on the waiting list, the number of violations issued to green carts, the location of such carts when such violations were issued and, to the extent such information is available, the number of permit holders who accept electronic benefit transfer, sorted by borough; [and]

19. the number of vendors at greenmarkets, farmers' markets and similar markets operated by the council on the environment of New York city or any successor entity, and the average number of vendors at such markets, sorted by borough[.]; *and*

20. for the report due no later than September first, two thousand fourteen, and in every report thereafter, contents of the report on food security as required by subdivision j of section 20 of the charter.

§ 3. This local law shall take effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on December 10, 2013 and approved by the Mayor on December 17, 2013.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 133 of 2013, Council Int. No. 1194-A of 2013) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council and approved by the Mayor.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel.